

Documents on Diplomacy: The Source

American Influence and the Prevention of War

A Radio Address by Under Secretary of State Phillips, November 6, 1935

Because of the generally unsettled world conditions, and the existence of hostilities between two powers with which we are on terms of friendship, the one phase of our foreign policy uppermost in the minds of our people today is that of neutrality. It is being discussed from the platforms, in the press, and in the streets. It is of concern to our people in every walk of life. They have not forgotten the bitter experiences of the World War, the calamitous effects of which will not be erased from their memories during our present generation. Is it therefore any wonder that they should be concerned regarding our policy of neutrality and the steps that their Government is taking to avoid a repetition of those experiences?

Modern neutrality dates from the latter part of the Middle Ages. Prior to that time neutrality was unknown for the reason that belligerents did not recognize an attitude of impartiality on the part of other powers; under the laws of war observed by the most civilized nations of antiquity, the right of one nation to remain at peace while neighboring nations were at war was not admitted to exist. Efforts made by nations from time to time to adopt an attitude of impartiality were successfully resisted by the belligerents, who proceeded on the theory that any country not an ally was an enemy. No intermediate relation was known to the pagan nations of those earlier times, and hence the term "neutrality" did not exist.

During the sixteenth century, however, neutrality as a concept in international law began to be recognized. In 1625 Hugo Grotius, sometimes referred to as "the father of international law," published his celebrated treatise on the laws of peace and war. While his treatment of the subject of neutrality is brief and necessarily so because of the undeveloped status of the law of his time, he nevertheless recognized the possibility of third parties remaining neutral. He did not, however, have that conception of neutrality to which we have been accustomed in more recent times. He stated that it was the duty of those not engaged in a war "to do nothing whereby he who supports a wicked cause may be rendered more powerful, or whereby the movements of him who wages a just war may be hampered."

Since the days of Grotius, neutrality has passed through several stages of evolution. No nation has done more toward

its development than has the United States. In 1794 Congress passed our first neutrality act, temporary in character, covering a variety of subjects. In 1818 permanent legislation on these subjects was passed. This legislation formed the basis of the British act of a similar character of 1819, known as the British Foreign Enlistment Act. Other legislation has been passed by Congress from time to time, including that enacted during the World War—I refer particularly to the act of June 15, 1917—and that enacted as recently as the last session of Congress—the joint resolution approved August 31, 1935. This last-mentioned resolution, intended to supplement prior legislation is designed primarily to keep the United States out of foreign war.

Pursuant to this resolution the President has issued two proclamations regarding the war now unhappily existing between Ethiopia and Italy. One of these declared the existence of a state of war within the meaning and intent of section 1 of the resolution, thus bringing into operation the embargo on the shipment of arms, ammunition, and implements of war from the United States to either belligerent, and the other declared that American citizens who travel on vessels of the belligerents shall do so at their own risk.

The effect of issuing the proclamation bringing into operation the embargo on the shipment of arms was automatically to bring into operation the provisions of section 3 of the resolution prohibiting American vessels from carrying arms, ammunition, or implements of war to any port of a belligerent country named in the proclamation or to any neutral port for transshipment to or for the use of the belligerent country.

Any discussion of the avoidance of war, or of the observance of neutrality in the event of war, would be wholly incomplete if too much stress were laid on the part played in the one or the other by the shipment, or the embagoing of the shipment, of arms, ammunition, and implements of war. The shipment of arms is not the only way and, in fact, is not the principal way by which our commerce with foreign nations may lead to serious international difficulties. To assume that by placing an embargo on arms we are making ourselves secure from dangers of conflict with belligerent

countries is to close our eyes to manifold dangers in other directions. The imposition of an arms embargo is not a complete panacea, and we cannot assume that when provision has been made to stop the shipment of arms, which as absolute contraband have always been regarded as subject to seizure by a belligerent, we may complacently sit back with the feeling that we are secure from all danger. Attempts by a belligerent to exercise jurisdiction on the high seas over trade with its enemy, or with other neutral countries on the theory that the latter are supplying the enemy, may give rise to difficulties no less serious than those resulting from the exportation of arms and implements of war. So also transactions of any kind between American nationals and a belligerent may conceivably lead to difficulties of one kind or another between the nationals and that belligerent. Efforts of this Government to extend protection to these nationals might lead to difficulties between the United States and the belligerent. It was with these thoughts in mind that the President issued his timely warning that citizens of the United States who engage in transactions of any character with either belligerent would do so at their own risk.

Every war presents different circumstances and conditions which might have to be dealt with differently both as to time and manner. For these reasons, difficulties inherent in any effort to lay down by legislative enactment inelastic rules or regulations to be applied to every situation that may arise will at once be apparent. The Executive should not be unduly or unreasonably handicapped. There are a number of ways in which discretion could wisely be given the President which are not and could not be seriously controversial. These might well include discretion as to the time of imposing an embargo. Moreover, we should not concentrate

entirely on means for remaining neutral and lose sight of other constructive methods of avoiding involvement in wars between other countries. Our foreign policy would indeed be a weak one if it began or ended with the announcement of a neutral position on the outbreak of a foreign war. I conceive it to be our duty and in the interest of our country and of humanity, not only to remain aloof from disputes and conflicts with which we have no direct concern, but also to use our influence in any appropriate way to bring about the peaceful settlement of international differences. Our own interest and our duty as a great power forbid that we shall sit idly by and watch the development of hostilities with a feeling of self-sufficiency and complacency when by the use of our influence, short of becoming involved in the dispute itself, we might prevent or lessen the scourge of war. In short, our policy as a member of the community of nations should be twofold: first, to avoid being brought into a war, and second, to promote as far as possible the interests of international peace and good will. A virile policy tempered with prudent caution is necessary if we are to retain the respect of other nations and at the same time hold our position of influence for peace and international stability in the family of nations.

In summary, while our primary aim should be to avoid involvement in other people's difficulties and hence to lessen our chances of being drawn into a war, we should, on appropriate occasions and within reasonable bounds, use our influence toward the prevention of war and the miseries that attend and follow in its wake. For after all if peace obtains, problems regarding neutrality will not arise. ■

Source

Vincent Ferraro Home Page at Mt. Holyoke College Source: U.S. Department of State, Publication 1983, *Peace and War: United States Foreign Policy, 1931-1941* (Washington, D.C.: U.S., Government Printing Office, 1943, pp. 284-288

<http://www.mtholyoke.edu/acad/intrel/interwar/hull17.htm>